

Amendment under 37 CFR §1.111
Application No. 10/528,834
Attorney Docket No. 071849

REMARKS

(1) Claims 1-7 and 10-20 are pending in this application, of which claims 1 and 12 have been amended and claims 18-20 have been added. Claim 18 is supported by page 17, lines 12-14. Claim 19 is supported by page 16, lines 14-16. Claim 20 is supported by page 16, line 18. Claims 8 and 9 have been cancelled in this Response.

(2) Claim 12 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 12 has been amended, whose basis is found at page 31, lines 11-15. The Applicant believes that amended claim 12 has overcome the rejection under 35 U.S.C. §112, second paragraph. Reconsideration of the rejection is respectfully requested.

(3) Claims 1-13 were rejected under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Masuo et al..

Although the Examiner states that the toner of the present invention is similar to that of Masuo et al., the toner of the present invention is distinguishable from Masuo et al. In the process to manufacture the claimed toner, a master batch including a pigment is produced. This

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process has improved the dispersibility of the pigment and increased the absorbance of the filtrate. As a result, a satisfactory image can be formed by the toner.

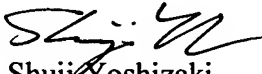
In other words, the toner of the present invention is prepared by providing master batches of a pigment and a charge control agent, dissolving them in a polymerizable monomer, and then suspending the resulting solution in a dispersion stabilizer for polymerization. The pigment is ground into small particles in producing the master batch, and therefore, the dispersibility of the pigment is increased. As a result, the absorbance of the filtrate of the toner is increased. The pigment is changed to a salt thereof by addition of a base when producing the master batch of the pigment. As Examples of the present application, a base is used so that the compatibility of a pigment and a (negative) charge control resin was enhanced. The absorbance of the filtrate is, therefore, increased. According to the present invention, the dispersibility of the toner is thus improved, and therefore, a satisfactory image can be formed.

On the contrary, Masuo et al. do not teach or suggest producing a master batch in the process to manufacture the toner. Consequently, the dispersibility of the pigment is lower than that of the present invention. Therefore, the toner of Masuo et al. is outside the scope of the claims invention. Therefore, the toner recited in the claims is not anticipated by, or rendered obvious over, Masuo et al. Reconsideration of the rejection is respectfully requested.

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(4) In view of above, Applicant submits that that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date. If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned representative at the telephone number indicated below to arrange for an interview to expedite the disposition of this case. If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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SY/mt
Attachment: Petition for Extension of Time